

REMARKS

Applicant has cancelled claims 1-6, and amended claims 7-8.

Examiner rejected claims 1 and 3-6 under 35 U.S.C. 102(b) as being anticipated by Kochanski, U.S. Patent 5,512,934.

Applicant has cancelled claims 1 and 3-6.

Examiner rejected claims 2, 7, and 8 under 35 U.S.C. 103(a). Specifically, the Examiner stated:

Claims 2, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kochanski as cited above in view of Zetts, US 6,378,129.

Regarding claim 2, ...

Regarding claim 7, the combination of Kochanski and Zetts teaches a method for broadcasting information to a client which comprises steps of:

generating a time-scale modified version of at least a portion of a second work [**Kochanski, Fig. 4 shows video playback devices that generate time-scale modified feeds; cols. 7 and 8; Zetts describes showing a second work, cols. 5-6, 14-13];**

broadcasting a first work to the client, which first work ends at an ending time [**Zetts; works in playlist end after the start time (fourth column of Fig. 2) plus the duration (column 7 of Fig. 2)];**

broadcasting the second work starting at a predetermined time, wherein the ending time is at, before, or after the predetermined time [**Zetts, Fig. 2; cols. 5-6, 29-4];**

broadcasting the time-scale modified version of the at least a portion of the second work for predetermined periods of time at further predetermined starting times [**Kochanski teaches transmitting time-scale modified version of a work; Zetts shows different versions of a second work being started at predetermined times, in order to synchronize with the end a first work and present seamless video segments, cols. 5-6, lines 14-13];**

and broadcasting the time-scale modified version at one of the further predetermined starting times to the client for one of the predetermined periods of time and thereafter, broadcasting the second work to the client [**in Kochanski, referring to Figs. 2, 3, and col. 2, 34-49, a first viewer receives a time-scale modified first feed, until it synchronizes ("clump[s]") with a second feed which has been transmitting at regular speed since the first feed began. Zetts teaches the concept of playing a second work at a predetermined time at Fig. 2 and cols. 5-6, lines 29-4].**

Regarding claim 8, the combination of Kochanski and Zetts teaches a method wherein the predetermined periods of time are substantially equal to time intervals for the time-scale modified version broadcast at the further

predetermined starting times to synchronize with the second work being broadcast. **[Kochanski teaches transmitting time-scale modified version of a work; Zetts shows different versions of a second work being started at predetermined times, in order to synchronize with the end a first work and present seamless video segments, cols. 5-6, lines 14-13].**

Applicant has cancelled claim 2 and amended claims 7-8. Applicant traverses the rejection of claims 7-8.

Applicant submits that claims 7-8 are patentable over Kochanski in view of Zetts.

Kochanski discloses broadcasting/transmitting time modified versions of a video for periods of time, and merging separately broadcast streams when they are at a same location in a broadcast work. Zetts merely teaches synchronizing information on a primary and a secondary server for video streaming.

Claim 7 covers a situation where a broadcaster broadcasts a first work and then a second work, where the first work may end at an unpredictable time. For example, if the President gives a state of the union address, the broadcaster typically does not know when the President may end. Ideally, the broadcaster wants the President to end at a specific time so the second work can begin thereafter and end at a predictable time (according to a predetermined schedule) to maintain broadcast schedules for subsequent works. The invention of claim 7 addresses this problem by broadcasting a time-scale modified version of at least a portion of the second work, starting at an ending time of the first work, and then broadcasting the remainder of the second work. In accordance with claim 8, the time-scale modified version is broadcast for a period of time that is substantially equal to a time interval for the time-scale modified version to synchronize with the second work being broadcast had the second work been broadcast at a predetermined start time. Thus, in the example, the predetermined start time would be a regularly scheduled end time for a program preempted by the President's state of the union address.

As the Examiner can appreciate, Kochanski does not teach or suggest how to synchronize two works where the first work ends at an unpredictable time, and the second work was to (but, due to the unpredictable end time of the first work, could not) have started at a

scheduled time. Further, although Zetts deals with play lists, it only describes synchronizing information on primary and secondary servers.

In light of the above, Applicant respectfully requests that the Examiner withdraw this rejection.

Examiner stated:

Allowable Subject Matter

Claims 9-14 are allowed, because the prior art does not disclose the specific elements recited in claim 9. In particular, elements involving the "leader duration determiner", "leader streamer", "leader re-broadcast interval" and "leader multicaster" are not anticipated in the prior art. While the overall system has analogous prior art, including Kochanski and Zetts as cited above, the details of the method render claim 9 allowable. Claims 10-14 are allowed because they depend from claim 9.

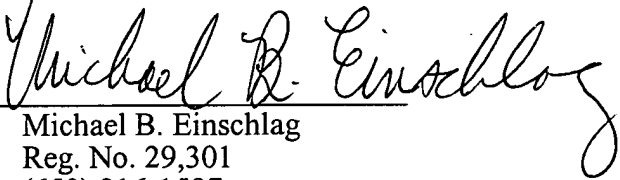
Examiner stated:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ganek et al., US 5,724,646; Chou, US 2004/0049793.

Applicant respectfully submits that the above-referenced prior art is no more relevant to the present invention than is the prior art discussed in detail above.

In light of the above, Applicant respectfully submits that all remaining claims are allowable. Should the Examiner have any questions or wish to discuss any aspect of the application, a telephone call to the undersigned would be welcome.

Respectfully submitted,

By: 
Michael B. Einschlag
Reg. No. 29,301
(650) 216-1597
25680 Fernhill Drive
Los Altos Hills, Calif. 94024